### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

POWER INTEGRATIONS, INC.,	)
Plaintiff,	) REDACTED ) PUBLIC VERSION
v.	) C.A. No. 04-1371-JJF
FAIRCHILD SEMICONDUCTOR	)
INTERNATIONAL, INC., and FAIRCHILD	)
SEMICONDUCTOR CORPORATION,	)
D-514-	)
Defendants.	)

DECLARATION OF BAS DE BLANK IN SUPPORT OF FAIRCHILD'S ANSWERING BRIEFS IN OPPOSITION TO POWER INTEGRATIONS' MOTION FOR A DECLARATION THAT THIS CASE IS EXCEPTIONAL, TREBLE DAMAGES, AND ATTORNEYS' FEES

> ASHBY & GEDDES Steven J. Balick (I.D. #2114) John G. Day (I.D. #2403) Lauren E. Maguire (I.D. #4261) 500 Delaware Avenue, 8<sup>th</sup> Floor P.O. Box 1150 Wilmington, DE 19899 302-654-1888

Attorneys for Defendants

#### Of Counsel:

G. Hopkins Guy, III Vickie L. Feeman Bas de Blank Brian H. VanderZanden Orrick, Herrington & Sutcliffe LLP 1000 Marsh Road Menlo Park, CA 94025 (650) 614-7400

Dated: December 21, 2007

#### IN THE UNITED STATES DISTRICT COURT

#### FOR THE DISTRICT OF DELAWARE

POWER INTEGRATIONS, INC., a Delaware corporation,

C.A. No. 04-1371-JJF

Plaintiff,

٧.

FAIRCHILD SEMICONDUCTOR INTERNATIONAL, INC., a Delaware corporation, and FAIRCHILD SEMICONDUCTOR CORPORATION, a Delaware corporation,

Defendants.

DECLARATION OF BAS DE BLANK IN SUPPORT OF FAIRCHILD'S ANSWERING BRIEFS IN OPPOSITION TO POWER INTEGRATIONS' MOTION FOR A DECLARATION THAT THIS CASE IS EXCEPTIONAL, TREBLE DAMAGES, AND ATTORNEYS' FEES

- I, Bas de Blank, the undersigned, declare as follows:
- I am an attorney with the firm of Orrick, Herrington & Sutcliffe LLP, counsel of record for Defendants Fairchild Semiconductor International, Inc. and Fairchild Semiconductor Corp. (collectively, "Fairchild"). I am admitted to the Bar of the State of California. I make this declaration in support of Fairchild's Answering Briefs in Opposition To Power Integrations' Motions For A Declaration That This Case Is Exceptional, Treble Damages, And Attorneys' Fees. I make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.
- 2. Attached hereto as Exhibit A are copies of the invoices prepared by the law firm of Sidley Austin Brown & Wood LLP. These invoices were produced to Power Integrations on October 3, 2006 and are Bates-stamped FCS 1693293-1693358. The invoices reflect the work performed by opinion counsel Robert Morrill and Philip Woo on behalf of Fairchild in this case.

- 3. From the outset of this case and continuing through today, Fairchild has cooperated with Power Integrations within the confines of the adversarial system. Although Power Integrations never named Fairchild Korea as a party to this action, despite the fact that all accused devices were designed in Korea and all documents relating thereto are maintained in Korea, Fairchild voluntarily produced all responsive Korean documents and witnesses. This cooperation obviated the need for Power Integrations to comply with the often arduous, timeintensive and costly requirements of the Hague Convention.
- 4. Specifically with respect to Korean non-party witnesses, Fairchild sent two attorneys to Korea for two weeks. Fairchild agreed that Power Integrations could depose each non-party witness for more than a day each, affording Power Integrations the opportunity to spend nine (9) days deposing six (6) witnesses.
- 5. Similarly, the parties mutually agreed to deposition schedules, as well as Court hearing dates and briefing schedules. Despite the fact that Federal Rule of Civil Procedure 59(b) provides that motions for new trial need not be filed until ten (10) days from the entry of judgment, Fairchild acquiesced to Power Integrations request that it file its motions for new trial by December 3, 2007.
- 6. Attached hereto as Exhibit B are copies of excerpts from the November 17 and 18, 2005 deposition of Balu Balakrishnan.
  - 7. Attached hereto as Exhibit C is the translated version of trial exhibit PX296.

I declare the foregoing is true and correct under penalty of perjury under the laws of the United States of America.

Executed on December 21, 2007 in Menlo Park, California.

Das de Dank
Bas de Blank

OHS West:260358857.3 10414-25 D6M/M2B

## EXHIBITS A - C

# REDACTED IN THEIR ENTIRETY